TC902-12

AUSTRALIA

STATEMENT BY MR R A WALKER

LEADER OF THE AUSTRALIAN OBSERVER DELEGATION

TO THE FORTY-SIXTH SESSION

OF THE COMMISSION ON HUMAN RIGHTS

ITEM 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES.

GENEVA
27 FEBRUARY 1990

CHECK AGAINST
DELIVERY

AUSTRALIAN PERMANENT MISSION
56, RUE DE MOILLEBEAU — 1211 GENEVA 19 — TELEPHONE 34 62 00

MADAM CHAIRMAN,

MY DELEGATION WISHES TO TAKE THE OPPORTUNITY PROVIDED BY THIS AGENDA ITEM TO RECOGNISE CHANGE AND IMPROVEMENT IN THE WORLD HUMAN RIGHTS SITUATION AS WELL AS TO DRAW ATTENTION TO SERIOUS ABUSES. IN THE PAST YEAR THERE HAVE BEEN MAJOR ADVANCES IN SOME COUNTRIES AND REGIONS. UNFORTUNATELY THERE HAVE ALSO BEEN DISTURBING SETBACKS IN SOME OTHER AREAS.

MUCH HAS BEEN SAID, HERE AND ELSEWHERE, ABOUT EVENTS IN CENTRAL AND EASTERN EUROPE. MY GOVERNMENT WISHES TO RECORD ITS PROFOUND SATISFACTION AT THE MOVEMENT TOWARDS FULL ENJOYMENT OF HUMAN RIGHTS IN THE COUNTRIES CONCERNED. GREAT NUMBERS OF PEOPLE FROM ALL WALKS OF LIFE ACTING TOGETHER HAVE DISPLAYED COURAGE, TENACITY, COMPASSION AND MODERATION - IN SHORT, THE VERY BEST OF HUMAN QUALITIES - IN PURSUIT OF THE DIGNITY AND HUMAN RIGHTS OF THE INDIVIDUAL.

AS OTHERS HAVE POINTED OUT, THE RECENT ADVANCE IN HUMAN RIGHTS OBSERVANCE IS NOT PECULIAR TO EUROPE BUT IS, RATHER, THE LATEST MANIFESTATION OF A MOVEMENT WHICH HAS ENCOMPASSED OTHER REGIONS OF THE WORLD. WHILE MANY OF THE NEW DEMOCRATIC GOVERNMENTS FACE SEVERE DIFFICULTIES, BOTH POLITICAL AND ECONOMIC, THEY HAVE AFFIRMED A COMMITMENT TO HUMAN RIGHTS AND SEEK TO ENTRENCH THE RULE OF LAW. IN EASE CASE WE HAVE THE PROMISE OF A BETTER FUTURE FOR HUMAN RIGHTS.

THE INSTALLATION OF A DEMOCRATICALLY-ELECTED GOVERNMENT IN CHILE IN A FEW WEEKS' TIME WILL BE ANOTHER IMPORTANT STEP FORWARD. THE NEW GOVERNMENT WILL HAVE HEAVY RESPONSIBILITIES IN OVERCOMING THE LEGACY OF PAST HUMAN RIGHTS VIOLATIONS. WE URGE THE COMMISSION TO OFFER

ANOTHER SUCH CASE IS EL SALVADOR. THE REPORT BEFORE THE COMMISSION ON THE HUMAN RIGHTS SITUATION IN EL SALVADOR AGAIN DESCRIBES A DISTURBING RECORD OF SERIOUS ABUSES, INCLUDING POLITICALLY MOTIVATED SUMMARY EXECUTIONS AND ABDUCTIONS CARRIED OUT BY THE ARMED FORCES, PARA-MILITARY DEATH SQUADS AND THE FMLN. THE INABILITY OF SALVADORAN GOVERNMENTS OVER A PERIOD OF MANY YEARS TO BRING TO JUSTICE THOSE GUILTY OF SERIOUS ABUSES HAS DONE LITTLE TO DISCOURAGE SUCH ABUSES. MY DELEGATION NOTES, HOWEVER, THAT THE GOVERNMENT OF EL SALVADOR HAS PLEDGED ITSELF TO WORK FOR HUMAN RIGHTS, AND WELCOMES THE DECISION TO PROSECUTE FOR THE MURDER OF THE JESUIT PRIESTS IN NOVEMBER. AUSTRALIA HOPES THAT THIS ACTION WILL BEAR FRUIT IN MAKING THE PERPETRATORS FACE THE CONSEQUENCES OF THEIR ACTIONS AND IN SENDING A SIGNAL TO OTHERS THAT SUCH ACTIONS WILL NOT BE CONDONED. AT THE SAME TIME, THE AUSTRALIAN GOVERNMENT BELIEVES THAT A POLITICAL SOLUTION TO THE CONFLICT IN EL SALVADOR IS THE PRECONDITION FOR SUBSTANTIAL IMPROVEMENT IN THE HUMAN RIGHTS SITUATION. AUSTRALIA APPEALS TO ALL SIDES TO SHOW UTMOST RESTRAINT AND TO ACCEPT THAT DIALOGUE AND NOT FIGHTING IS THE ONLY PATH TO A SOLUTION.

AUSTRALIA HAS BEEN CONCERNED DURING THE PAST YEAR OVER SOME OTHER SITUATIONS WHERE HUMAN RIGHTS ARE SUFFERING IN A CLIMATE OF CIVIL CONFLICT. PERU IS ONE SUCH COUNTRY WHERE THERE HAS BEEN A SHARP ESCALATION OF VIOLENT INCIDENTS, MOST NOTABLY DISAPPEARANCES AND EXECUTIONS. IN OUR OWN ASIAN/PACIFIC REGION, WE ARE PARTICULARLY DISTURBED BY THE SITUATION IN SRI LANKA, WHERE THE CIVILIAN POPULATION CONTINUES TO SUFFER FROM HUMAN RIGHTS VIOLATIONS AS A RESULT OF THE PROLONGED ETHNIC AND POLITICAL CONFLICT. IN OUR IMMEDIATE NEIGHBOURHOOD, AUSTRALIA IS CONCERNED OVER CONTINUING ALLEGATIONS OF HUMAN RIGHTS VIOLATIONS IN EAST TIMOR IN INDONESIA, AND ON THE ISLAND OF BOUGAINVILLE IN PAPUA NEW GUINEA WHERE A SECESSIONIST MOVEMENT HAS LED TO VIOLENCE AND BLOODSHED.

WHILE WE CAN ASSESS THE CAUSES OF HUMAN RIGHTS VIOLATIONS IN ALL SUCH SITUATIONS, THIS IS NOT TO EXCUSE OR JUSTIFY THEM. RIGOROUS EFFORTS MUST BE MADE TO BRING OFFENDERS TO JUSTICE AND TO PREVENT ABUSES THROUGH MORE EFFECTIVE PROCEDURES, AND BETTER EDUCATION. IN SOME CASES THE CENTRE FOR HUMAN RIGHTS' ADVISORY SERVICES PROGRAM MAY HAVE A ROLE.

MADAM CHAIRMAN,

TURNING TO MY OWN COUNTRY, AS A NATION AUSTRALIA HAS CONTINUED TO ADDRESS THE DISADVANTAGES THAT ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE FACE. THERE HAS BEEN SUBSTANTIAL POLICY DEVELOPMENT IN THE FIELDS OF EDUCATION, EMPLOYMENT AND HEALTH. THE ROYAL COMMISSION INTO ABORIGINAL DEATHS IN CUSTODY HAS DELIVERED ITS INTERIM REPORT, AND WILL LODGE ITS DELIBERATION BY THE END OF 1990. ALREADY A NUMBER OF RECOMMENDATIONS RELATING TO THE TREATMENT OF ABORIGINAL PRISONERS ARE BEING IMPLEMENTED. A MAJOR ADVANCE WILL BE THE ESTABLISHMENT OF THE ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION IN MARCH 1990. IN THE ESTABLISHMENT OF THIS COMMISSION ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE WILL HAVE A VOICE FROM THE LOCAL TO THE NATIONAL LEVEL IN MATTERS THAT AFFECT THEM.

MADAM CHAIRMAN,

WHILE HORROR CONTINUED IN MANY PARTS OF THE WORLD 1989 HAS BEEN A YEAR OF NEW HOPES FOR HUMAN RIGHTS. PROSPECTS FOR BETTER COOPERATION AMONG COUNTRIES FROM ALL REGIONS ARE GROWING BRIGHTER. WE LOOK FORWARD TO FURTHER ADVANCES IN THE COMING YEAR.

THANK YOU MADAM CHAIRMAN.